



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

NOV 06 2006

Regulatory Division

DEPARTMENT OF THE ARMY PERMIT
REGIONAL GENERAL PERMIT SAJ-72
SAJ-2006-2758(SLS)

RESIDENTIAL DOCKS IN CITRUS COUNTY, FLORIDA

Upon Recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C 403), general authority is hereby given to construct residential docks in Citrus County, Florida, subject to the following conditions:

Special Conditions:

1. Structures authorized under this general permit are located in Citrus County, Florida, and must conform to the Citrus County Manatee Protection Plan (CCMPP) of Chapter 13, Manatee Protection Element of the Citrus County Comprehensive Plan, as revised December 2, 1997, and *The Corps of Engineers, Jacksonville District, and the State of Florida Effect Determination Key for the Manatee in Florida*, Version 1.1., dated July 2005 (and any future revisions adopted during the authorization period of this general permit). Structures not in compliance with the CCMPP shall be evaluated under an individual permit process.

2. No work shall be performed until the applicant submits satisfactory plans for the proposed structure and receives written authorization from the District Engineer.

3. For projects in waters accessible to manatees, the permittee will utilize the "Standard Manatee Conditions for In-Water Work, July 2005" and the U.S. Fish and Wildlife Service's *Special Requirements/Exceptions for Federal Manatee Sanctuaries*. (see http://www.saj.usace.army.mil/permit/Endangered_Species/end_species_index.htm) *Note: The manatee conditions may be subject to revision at any time. It is our intention that the most recent version of these conditions will be utilized during the evaluation of the permit application.*

4. For projects in waters accessible to sea turtles, Smalltooth sawfish, Gulf sturgeon, or Shortnose sturgeon, the permittee will utilize the "Sea Turtle and Smalltooth Sawfish Construction Conditions" (see

[http://www.saj.usace.army.mil/permit/Endangered_Species/end_species_index.h](http://www.saj.usace.army.mil/permit/Endangered_Species/end_species_index.htm)
[tm](http://www.saj.usace.army.mil/permit/Endangered_Species/end_species_index.htm)) and/or requirements, as appropriate for the proposed activity. *Note: These conditions may be subject to revision at any time. It is our intention that the most recent version of these conditions will be utilized during the evaluation of the permit application.*

5. No living, fueling or storage facilities over navigable waters of the United States are authorized under this general permit.

6. No structure shall adversely affect or disturb properties listed in the *National Register of Historic Places* or those eligible for inclusion in the National Register.

If unexpected cultural resources are encountered at any time within the project area that was not the subject of a previous cultural resource assessment survey, work should cease in the immediate vicinity of such discoveries. The permittee, or other party, should notify the SHPO immediately, as well as the appropriate Army Corps of Engineers office. After such notifications, project activities should not resume without verbal and/or written authorization from the SHPO.

If unmarked human remains are encountered, all work shall stop immediately, and the proper authorities notified in accordance with Section 872.05, *Florida Statutes*, unless on Federal lands. After such notifications, project activities on non-Federal lands shall not resume without verbal and/or written authorization from the Florida State Archaeologist for finds under his or her jurisdiction.

7. No activity shall be authorized under this general permit which is likely to adversely affect a federally listed threatened or endangered species or a species proposed for such designation, or destroy or adversely modify its designated critical habitat.

8. Turbidity controls measures may be required, and the work must be conducted so as to prevent violations of State Water Quality Standards as established in sections 62-4.242 and 62-4.244 of the Florida Administrative Code and Chapters 62-302, 62-520, 62-522, and 62-550 of the Florida Administrative Code.

9. Prior to the initiation of any construction, projects qualifying for this regional general permit must qualify for an exemption under Section 403.813(2)(b), F.S., or be authorized under Part IV of Chapter 373 by the Department of Environmental Protection, a water management district under s. 373.069, F.S., or a local government with delegated authority under s. 373.441, F.S. and receive and Coastal Zone Consistency Concurrence (CZCC) or waiver thereto, as well as any authorizations required for the use of sovereignty submerged lands that must be obtained as part of the associated CZCC.

10. A structure authorized under this general permit must not interfere with general navigation. Structures constructed within canals must not extend more than 25% of the waterway width.

11. A structure which by its size or location may adversely affect water quality, forested or emergent wetlands, or submerged aquatic vegetation will not be authorized under this general permit. If the project site supports emergent or submerged aquatic vegetation, a structure authorized under this general permit shall adhere to the *Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat, August 2001* (and any future revisions adopted during the authorization period of this general permit), jointly developed by the U.S. Army Corps of Engineers and the United States Department of Commerce, National Marine Fisheries Service. A copy of the guidelines can be found at: http://www.saj.usace.army.mil/permit/Endangered_Species/end_species_index.htm. Where submerged aquatic vegetation (SAV) presence on a specific site is expected, but may not currently exist due to causes such as seasonal die-off, a structure authorized under this general permit shall adhere to the *Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat August 2001* unless a survey (performed between June 1 and September 30) confirms year-round absence of SAV at the project site.

12. The materials used for construction must consist of suitable material, and be free from toxic pollutants in other than trace quantities.

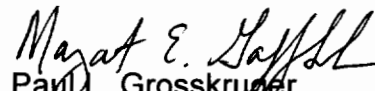
13. For projects authorized under the SAJ-72 in navigable waters of the United States, the permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

14. This regional general permit will be valid for a period of five years from the date specified above unless suspended or revoked by the District Engineer prior to that date.

15. The District Engineer reserves the right to require that any request for authorization under this general permit be processed as an Individual Permit.

16. The General Conditions attached hereto are made a part of this permit.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:


Paul L. Grosskruger
Colonel, U.S. Army
District Engineer

GENERAL CONDITIONS FOR DEPARTMENT OF THE ARMY REGIONAL GENERAL PERMITS

General Conditions

1. The time limit for completing the work authorized ends on _____.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature and mailing address of the new owner in the space provided below and forward a copy of the permit to this office to validate the transfer of this authorization.
5. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Further Information:

1. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal projects.
2. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
 - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - d. Design or construction deficiencies associated with the permitted work.
 - e. Damage claims associated with any future modification, suspension, or revocation of this permit.

3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

4. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 3 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

5. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFeree-SIGNATURE)

(DATE)

(NAME-PRINTED)

(ADDRESS)

GENERAL PERMIT